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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDGAR ENRIQUE GARCIA LOPEZ,

Defendant.

CASE NO. 2:23-CR-00228-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: March 7, 2024
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on March 7, 2024.
2. By this stipulation, defendant now moves to vacate the March 7, 2024 status conference, set for change of plea on March 14, 2024, at 9:00 a.m., and to exclude time between March 7, 2024, and March 14, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form including approximately 600 documents as well as photographs, audio, and video files, totaling approximately 10.7 gigabytes. All of this discovery has been either produced directly to counsel and/or made

1 available for inspection and copying.

2 b) Counsel for defendant desires additional time to review the current charges, and
3 to conduct investigation and research related to the charges and potential mitigation information
4 for sentencing.

5 c) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny him the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of March 7, 2024 to March 14, 2024,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
15 because it results from a continuance granted by the Court at defendant's request on the basis of
16 the Court's finding that the ends of justice served by taking such action outweigh the best interest
17 of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

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5. The defendant further seeks to trail the hearing for his pending motion for reconsideration of the detention order to March 14, 2024. *See* ECF 40. He will withdraw the motion after his guilty pleas are entered. The government does not object. Accordingly, the parties request that the Court continue the March 7, 2024 hearing on the motion for reconsideration to March 14, 2024.

IT IS SO STIPULATED.

Dated: March 5, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ALSTYN BENNETT

ALSTYN BENNETT
Assistant United States Attorney

Dated: March 5, 2024

/s/ HOOTAN BAIGMOHAMMADI

HOOTAN BAIGMOHAMMADI
Counsel for Defendant
EDGAR ENRIQUE GARCIA LOPEZ

ORDER

IT IS SO FOUND AND ORDERED this 6th day of March, 2024.

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE